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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,520	12/22/2000	Aman Gupta	GMES8081.045	4205

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EXAMINER

NGUYEN, CINDY

ART UNIT PAPER NUMBER

2171

DATE MAILED: 05/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/748,520

Applicant(s)

GUPTA ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-21 and 26-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-21 and 26-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This is in response to amendment filed 05/01/03.

The 05/01/03 response being fully responsive, the examiner withdraws finality of the previous office action. However, upon consideration of the record as a whole, the examiner has determined that the claimed subject matter is not patentable over the prior art of record. Specifically, the provision of using temporary tables instead of a database is insufficient to overcome the prior art (see the below rejection). The Office apologizes for any inconvenience this latent rejection may present applicant.

#### ***1. Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 8-21 and 26-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klatt et al. (U.S. 6415277) (Klatt).**

Regarding claims 8, 16, 26 and 30, Klatt disclose: system, method and a computer-readable medium having stored thereon one or more computer programs that, when executed by one or more computers, causes the one or more computers to:

populate a database (col. 13, line 50, Klatt) with data to include a date when each product will be available for shipment for a plurality of products (col. 13, lines 41-47, Klatt);

periodically query the database to obtain the date for each product while ignoring those products that do not have a valid shipment date(col. 10, lines 4-14, Klatt);

count a number of days for each product between a current date and the date when the product will be ready for shipment to create a number of days before each product is available (col. 12, lines 1-17, Klatt);

access the temporary tables to display the number of days before each product is available (fig. 9 and corresponding text, Klatt); and

update the temporary tables periodically (col. 9, lines 40-52, Klatt).

However, Klatt is silent as to the provision of using as temporary table to store the number of days before each product is available. Instead, Klatt teaches storing the information in the database 803, for example (fig. 8, Klatt). Nonetheless, the examiner takes official notice that it was well known in the database art to use temporary tables to store information like the product availability timeline of Klatt. Since temporary tables are an efficient and well-known method of storing information in databases, it would have been obvious to one of ordinary skill in the art to establish temporary tables in Klatt's database 803, with minimal modification (i.e, only software modification). Thereby providing an efficient database 803 of Klatt provides no unexpected or unobvious result.

Regarding claims 9 and 17, most of the limitations of these claims have been noted in the rejection of claims 8 and 16 above, respectively. In addition, Klatt disclose: where the computer program further causes the one or more computers to:

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apply the number of days (particular days) before the product is available to a calendar (schedule) starting from the current date (col. 12, lines 10-17, Klatt); and  
display a date when the product will be available (col. 9, lines 7-9, Klatt).

Regarding claim 10, all of the limitations of this claim have been noted in the rejection of claim 8. In addition, Klatt disclose: where the computer program further causes the one or more computers to:

populate the database with data to include number of orders (numbers of products order), a product category for each order, and sales revenue for each order (col. 11, lines 6-20, Klatt);

add the number of orders for each product category together to create a sum of the number of orders for each product category (col. 14, lines 49-50, Klatt);

add the sales revenue for the number of orders in each product category together to create a sum of the total revenue for each product category (col. 14, lines 49-50, Klatt); and

display the sum of the number of orders for each product category and the sum of the total revenue; for each product category (col. 14, lines 44-46, Klatt).

Regarding claim 11, all of the limitations of this claim have been noted in the rejection of claim 8. In addition, Klatt disclose: where the computer program further causes the one or more computers to create a plurality of categories for display (col. 5, lines 26-31, Klatt), wherein determination of a category depends on the number of days before the product is available (col. 5, lines 11-12, Klatt).

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Regarding claims 12 and 18, all of the limitations of these claims have been noted in the rejection of claims 8 and 16 above, respectively. In addition, Klatt disclose: wherein the plurality of categories includes a first category for orders including orders where the number of days before the product is available is greater than a user-defined number (col. 4, lines 9-11, Klatt), and a second category for orders including orders where the number of days before the product is available is less than a user-defined number (col. 5, lines 11-12, Klatt), wherein the computer program further causes the one or more computers to:

display a first user-defined message for each order in the first category (magazine article, col. 3, lines 40-43, Klatt); and display a second user-defined message for each order in the second category (the like, col. 3, lines 40-43, Klatt).

Regarding claim 13, all of the limitations of this claim have been noted in the rejection of claim 12. In addition, Klatt disclose: wherein the first userdefined message is "call for availability" (hold until) and the second user-defined message is "ready for immediate shipment" (ship to) (908, fig. 9 and corresponding text, Klatt).

Regarding claim 14, all of the limitations of this claim have been noted in the rejection of claim 11. In addition, Klatt disclose: wherein the plurality of categories includes a category for orders where the number of days before the product is available is within a user-defined range of values, wherein the computer program further causes the one or more computers to: display a user-defined message for each order within the category (col. 11, lines 12-13, Klatt).

Regarding claim 15, all of the limitations of this claim have been noted in the rejection of claim 8. In addition, Klatt disclose: wherein the periodic query of the database is performed at last every time a request for information is made (col. 6, lines 36-39, Klatt).

Regarding claim 19, all of the limitations of this claim have been noted in the rejection of claim 16. In addition, Klatt disclose: wherein the one or more processors periodically obtains data every 0 to 60 seconds (col. 4, lines 10-17, Klatt).

Regarding claim 20, all of the limitations of this claim have been noted in the rejection of claim 16. In addition, Klatt disclose: wherein the data is obtained at intervals greater than once a minute (col. 4, lines 10-17, Klatt).

Regarding claim 21, all of the limitations of this claim have been noted in the rejection of claim 16. In addition, Klatt disclose: wherein the signal obtains data every time information is requested (col. 9, lines 17-23, Klatt).

Regarding claim 27, all of the limitations of this claim have been noted in the rejection of claim 26. In addition, Klatt disclose: wherein the temporary tables are updated following a change to the database (col. 6, lines 25-43, Klatt).

Regarding claim 28, all of the limitations of this claim have been noted in the rejection of claim 26. In addition, Klatt disclose: further comprising automatically querying the database for data concerning orders, inventory and revenue (col. 9, lines 25-39, Klatt).

Regarding claim 29, all of the limitations of this claim have been noted in the rejection of claim 26. In addition, Klatt disclose: wherein the regular time interval can be adjusted (col. 13, lines 19-24, Klatt).

Regarding claim 31, all of the limitations of this claim have been noted in the rejection of claim 30. In addition, Klatt disclose: wherein at least one of the database categories includes when a product will be ready for shipment and wherein the calculations comprise counting a number of days between a current date and a date when a product will be ready for shipment to create a number of days before the product is available (col. 12, lines 1-17, Klatt).

Regarding claim 32, all of the limitations of this claim have been noted in the rejection of claim 30. In addition, Klatt disclose: wherein the plurality of categories includes at least one of requested shipping dates, actual shipping dates, and promised shipping dates (col. 12, lines 1-9, Klatt).

Regarding claim 33, all of the limitations of this claim have been noted in the rejection of claim 30. In addition, Klatt disclose: wherein the displaying step includes displaying the number of days until the product is available for shipment (col. 12, lines 7-9, Klatt).



Regarding claim 34, all of the limitations of this claim have been noted in the rejection of claim 30. In addition, Klatt disclose: wherein the means of displaying comprises an Intranet server for providing the results to internal users (col. 9, lines 34-55, Klatt).

Regarding claim 35, all of the limitations of this claim have been noted in the rejection of claim 30. In addition, Klatt disclose: wherein the means of displaying comprises an Internet server for providing the results to customers and potential customers (col. 9, lines 60 to col. 10, lines 3, Klatt).

### **3. Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tamaki et al. (U.S 6226561). Production planning system.

Huang et al. (U.S 6151582). Decision support system for the management of an agile supply chain.


### **4. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on 8:30-5:00 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

  
Cindy Nguyen  
May 14, 2003

  
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